

## REMARKS

Claims 1-18 are pending in this application. Upon entry of this response, claims 1-20 will be pending, claims 1, 4, 9, 14, and 17 have been amended and claims 19-20 added by way of the instant response. The claim amendments find support in the specification, ¶¶ 0034-0035, for example. The new claims find support in the original claims. Accordingly, there are no issues of new matter.

### Allowable Subject Matter

Claims 14 and 15 stand objected to as being dependent upon a rejected base claim, but indicated as allowable if rewritten in independent form. Claim 14 has been amended to be independent. Claim 15 remains dependent from claim 14. Accordingly, claims 14 and 15 are believed to be allowable. Withdrawal of the objections is requested.

### Double Patenting Rejection

Claims 9-10 and 17-18 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 6-7 and 16-17, respectively, of copending Application No. 10/625,659. Applicant respectfully requests that the rejections be held in abeyance until such time that the claims are allowed.

### § 103(a) Rejections

Claims 1-13 and 16-18 stand rejected under 35 USC § 103(a) as unpatentable over *Wolff* (U.S. Patent No. 6,081,261) in view of *Ericson* (U.S. Patent No. 6,666,376). Applicant traverses the rejections.

Claim 1 as amended is directed to a method comprising, *inter alia*, "if portions of the capture data conflict, selecting the portion of the conflicting capture data that was captured last as the capture data." This advantageously provides the correct date to be stored in memory, even though the user may make a mistake in marking the date on the paper form and then correct the mistake, thereby causing a conflict in the capture data.

*Wolff* does not teach or suggest how to resolve conflicts in data entry. *Ericson* does not bridge *Wolff*'s gap because *Ericson* also fails to teach or suggest resolving conflicts in data entry.

Therefore, claim 1 and its dependent claims 2 and 3 are believed to be patentable over the cited references, individually and in combination.

Claims 4, 9, and 17 recite similar language as claim 1. For at least the same reasons as claim 1, claims 4, 9, 17, and their respective dependent claims 5-8, 10-13, 16, and 18 are believed to be patentable over the cited references, individually and in combination.

Withdrawal of the rejections is therefore requested.

New Claims

New claims 19 and 20 are believed to be patentable over the cited references because the references neither teach nor suggest the subject matter of the new claims.

**CONCLUSION**

The claims are believed to be patentable. An early and favorable action to that effect is respectfully requested.

The Examiner is invited to call the undersigned at (202) 220-4200 to discuss any information concerning this application.

The Office is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

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/Cassandra T. Swain, Ph.D./  
Cassandra T. Swain, Ph. D.  
Reg. No. 48,361

KENYON & KENYON LLP  
1500 K STREET, NW, SUITE 700  
WASHINGTON, DC 20005-1257  
TEL.: (202) 220-4200  
Fax.: (202) 220-4201